

Appl. No. 10/814,393
Examiner: Ton, Minh Toan, Art Unit 2871
In response to the Office Action dated December 13, 2005

Date: March 13, 2006
Attorney Docket No. 10113991

REMARKS

Responsive to the Office Action mailed on December 13, 2005 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-3, 5-10, 12-15 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ozawa et al (US 2004/0165130, hereinafter "Ozawa"). Claims 4, 11, 16, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa.

In this paper, claims 1, 6, 12, 13 and 18 are amended to correct a grammatical informality in the translation, namely "at beyond" is amended to read "outside of". New claims 22-29 are added. Support for the new claims can be found at least on pages 8-10 of the application and Figs. 3-4A of the application. Thus, on entry of this amendment, claims 1-29 are pending in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Foreign Priority Claim

Acknowledgment of Applicant's claim to foreign priority under 35 USC 119(a)-(d) or (f) and receipt of the certified copies of the priority document(s) is respectfully requested.

Rejections Under 35 U.S.C. 102(e)

Claim 1-3, 5-10, 12-15 and 18-20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Ozawa. Applicant respectfully traverses the rejections for the reasons as follow.

Claims 1, 6 and 12 each recite, *inter alia*, an **insulating layer** formed on selected regions on a substrate, the insulating layer having a reflective top surface; and a color filter over the

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substrate, including over the insulating layer at the selected regions, wherein a thickness of the color filter at the selected regions is thinner than that outside of the selected regions.

Similarly, claims 13 and 18 recites a process comprising the steps of forming an *insulating layer* on selected regions on the first substrate, the insulating layer having a reflective top surface, and forming a color filter over the first substrate, including over the insulating layer at selected regions, wherein a thickness of the color filter at the selected regions is thinner than that outside of the selected region.

Ozawa teaches a transfective liquid crystal device comprising a substrate 10, a light-reflecting layer 4, color filters 81 and 82, and thickness-adjusting layer 6. See paragraphs 0070-0078 and Fig. 2 of Ozawa.

Ozawa does not teach or suggest an *insulating layer* formed on selected regions on a substrate, the insulating layer having a reflective top surface; and a color filter formed over the substrate, including over the insulating layer at the selected regions, wherein a thickness of the color filter at the selected regions is thinner than that outside of the selected regions, as recited in claims 1, 6, 12, 13 and 18.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

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In the rejections, the Examiner relies upon light-reflecting layer 4 to teach the insulating layer having a reflective top surface of claims 1, 6, 12, 13 and 18. Namely, the office action states "... the insulating layer having a reflective top surface 45 ..." and "Ozawa discloses the insulating layer (integrally) including a reflective top surface 45." See page 2 of the office action. Please note that Ozawa describes edge 45 as being an edge of reflecting layer 4. See paragraph 0079 of Ozawa.

However, with respect to light-reflecting layer 4, Ozawa teaches the following:

The first substrate 10 has a rectangular light-reflecting layer 4 (indicated by oblique lines sloping down to right in FIG. 1(A)) formed of an aluminum film or a silver alloy film.

See paragraph 0071 of Ozawa (emphasis added).

It is well known in the art that the term "insulating layer" does not encompass an aluminum or silver alloy film. Namely, neither aluminum nor silver is an "insulating" material. Applicant therefore submits that the insulating layer having a reflective top layer distinguishes over the aluminum or silver alloy light-reflecting layer 4 taught by Ozawa.

Applicant further notes that while Ozawa teaches a thickness-adjusting layer 6 formed of photosensitive resin, said layer is formed **over** the color filters 81 and 82. Thus, the color filters are interposed between thickness-adjusting layer 6 and the substrate, as well as thickness-adjusting layer 6 and light-reflecting layer 4. Applicant therefore contends that, even taking thickness-adjusting layer 6 as the insulating layer, Ozawa does not teach or suggest an insulating layer formed on selected regions on a substrate, the insulating layer having a reflective top surface; and a color filter formed over the substrate, including over the insulating layer at the selected regions, wherein a thickness of the color filter at the selected regions is thinner than that outside of the selected regions, as recited in the claims.

For at least the reasons described above, it is Applicant's belief that Ozawa fails to teach or suggest all the limitations of claims 1, 6, 12, 13 and 18. Applicant therefore respectfully requests that the rejections of claims 1, 6, 12, 13 and 18 be withdrawn and the claims passed to

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issue. Insofar as claims 2-5, 7-11, and 14-17 and 19-21 depend from claims 1, 6, 13 and 18 either directly or indirectly, and therefore incorporate all of the limitations of claims 1, 6, 13 and 18, it is Applicant's belief that these claims are also in condition for allowance.

Rejection Under 35 U.S.C. 103(a)

Claims 4, 11, 16, and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ozawa. As noted above, it is Applicant's belief that claims 4, 11, 16, and 21 are allowable by virtue of their dependency from claims 1, 6, 13 and 18. For this reason, the Examiner's arguments in connection with these claims are considered moot and will not be addressed here.

New Claims 22-29

New claim 22 recites, *inter alia*, a first substrate having a transmissive region and a reflective region; ***an insulating layer formed over the first substrate in the reflective region and in the transmissive region; a reflective layer formed on the insulating layer in the reflective region; a color filter formed on the insulating layer and the reflective layer, wherein a thickness of the color filter in the reflective region is thinner than that in the transmissive region.***

Applicant contends that Ozawa fails to teach or suggest at least the above-highlighted limitations of claim 22. Applicant therefore submits that claim 22 is in condition for allowance. Insofar as claims 23-29 depend from claim 22, and therefore incorporate all of the limitations of claim 22, it is Applicant's belief that these claims are also in condition for allowance.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

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Respectfully submitted,



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